

06/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13584

NAME AND ADDRESS: LANA NAEF
5513 E OLD OREGON TRAIL ROAD
LAVA HOT SPRINGS ID 83246

LARRY NAEF
5513 E OLD OREGON TRAIL ROAD
LAVA HOT SPRINGS ID 83246

A2913584



SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.075 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

PRIORITY DATE: 08/07/1932

POINT OF DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County

T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.075 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22 NENE 3.2 T09S R37E S22 NWNE 3.0

STOCKWATER same as IRRIGATION

6.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591,
29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Beneficial Use

06/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

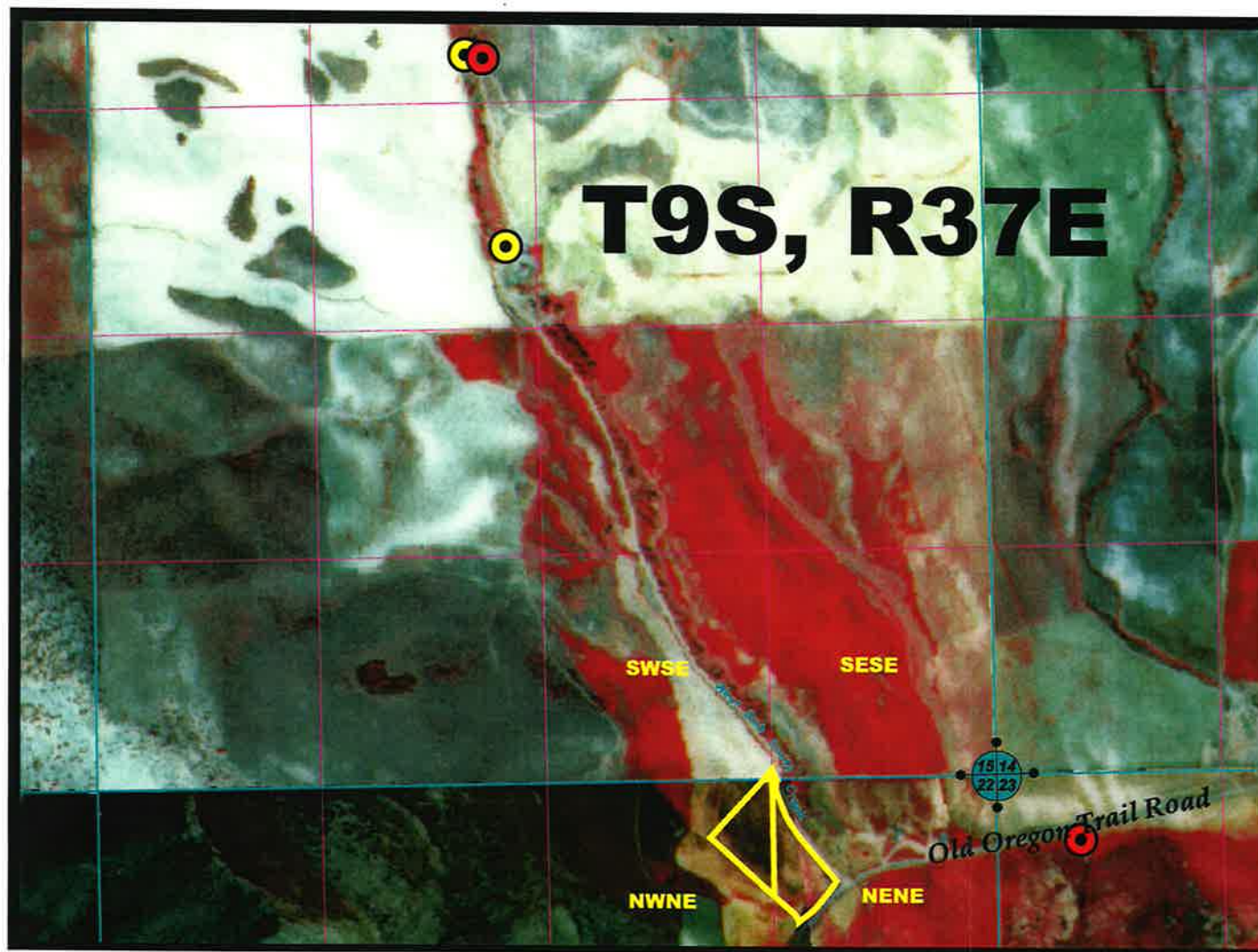
THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

29-13584, 29-13591,
29-13597, 29-13603,
29-13609, 29-13615,
29-13621.

Place of Use: T9S, R37E
(parts of) Secs.15 S2SE,
Sec. 22 N2NE

Point(s) of Diversion: T9S, R37E
Sec. 15 SESENW, SENENW



LEGEND

-  Point of Diversion
-  SESE Place of Use
-  Section
-  Quarter-Quarter

500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13584 V1

WATER RIGHT NUMBER: 29-13584 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MAX W HALL PO BOX 784 LAVA HOT SPRINGS, ID 83246 (208)776-5663
Current Owner	LANA NAEF 5812 E OLD OREGON TRAIL ROAD LAVA HOT SPRINGS, ID 83246
Current Owner	LARRY NAEF 5812 E OLD OREGON TRAIL ROAD LAVA HOT SPRINGS, ID 83246

Priority Date: 08/07/1932

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST BOB SMITH CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.075 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.075 CFS	

Location of Point(s) of Diversion

WEST BOB SMITH CREEK BANNOCK County	SE1/4NE1/4NW1/4	Sec. 15, Twp 09S, Rge 37E, B.M.
WEST BOB SMITH CREEK BANNOCK County	SE1/4SE1/4NW1/4	Sec. 15, Twp 09S, Rge 37E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	37E	22	3.2	3.0															6.2

Total Acres: 6.2

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13584 V1

3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Explanatory THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.
2. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.
5. Explanatory THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 29-13584, 29-13591,
29-13597, 29-13603, 29-13609, 29-
13615, 29-13621

Case No. 39576)

**AMENDED
NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

- ☐ Address change
☒ Substitution of Party
☐ I.C. § 42-222 transfer

- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Aug 8, 2005

Ernest Carlson
Signature of IDWR Representative

PROFILED

SCANNED
SEP 06 2005

CERTIFICATE OF MAILING

I certify that on August 19, 2005, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LANA NAEF
LARRY NAEF
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

4. One copy to:

Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

PROFILED

SCANNED

SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13584

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.075 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

PRIORITY DATE: 08/07/1932

POINT OF

DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.075 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22	NENE	3.2	T09S R37E S22	NWNE	3.0
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STOCKWATER same as IRRIGATION

6.2 ACRES TOTAL

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROFILED

SCANNED

SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13591

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.016 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B,
29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515, 29-13517,
29-13519,
29-13538, 29-13539, 29-13541, 29-13542, 29-13544, 29-13545,
29-13547,
29-13548, 29-13550, 29-13551, 29-13553, 29-13554, 29-13587,
29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595,
29-13596, 29-13597, 29-13598, 29-13599, 29-13600, 29-13601,
29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609,
29-13610, 29-13611, 29-13612, 29-13613, 29-13614, 29-13615,
29-13616,
29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not
exceed 3.542 cfs.

PRIORITY DATE: 07/01/1917

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/15 09/15

QUANTITY
0.016 CFS

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22 NENE 3.2 T09S R37E S22 NWNE 3.0

6.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13537.

PROFILED

SCANNED

SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13597

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.021 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

The combined diversion rate of water right nos. 29-10774B,
29-13517, 29-13541, 29-13542, 29-13593, 29-13594, 29-13595,
29-13596, 29-13597, and 29-13598 each sharing priority date 7/1/1909,
cannot exceed 0.942 cfs.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B,
29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515, 29-13517,
29-13519,
29-13538, 29-13539, 29-13541, 29-13542, 29-13544, 29-13545,
29-13547,
29-13548, 29-13550, 29-13551, 29-13553, 29-13554, 29-13587,
29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595,
29-13596, 29-13597, 29-13598, 29-13599, 29-13600, 29-13601,
29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609,
29-13610, 29-13611, 29-13612, 29-13613, 29-13614, 29-13615,
29-13616,
29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not
exceed 3.542 cfs.

PRIORITY DATE: 07/01/1909

POINT OF

DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESEENW Within BANNOCK County

PROFILED

SCANNED

SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.021 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R37E S22	NENE	3.2	T09S R37E S22	NWNE	3.0
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6.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13540.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED

SEP 06 2005

PROFILED

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13603

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.015 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

The combined diversion rate of water right nos. 29-215B, 29-13515,
29-13544, 29-13545, 29-13599, 29-13600, 29-13601, 29-13602,
29-13603, 29-13604 each sharing priority date 5/1/1903, cannot exceed
0.68 cfs.

The combined diversion rate of water right nos. 29-10774B, 29-13517,
29-13541, 29-13542, 29-13593, 29-13594, 29-13595, 29-13596,
29-13597, and 29-13598 each sharing priority date 7/1/1909, cannot
exceed 0.942 cfs.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B,
29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515, 29-13517,
29-13519,
29-13538, 29-13539, 29-13541, 29-13542, 29-13544, 29-13545,
29-13547,
29-13548, 29-13550, 29-13551, 29-13553, 29-13554, 29-13587,
29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595,
29-13596, 29-13597, 29-13598, 29-13599, 29-13600, 29-13601,
29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609,
29-13610, 29-13611, 29-13612, 29-13613, 29-13614, 29-13615,
29-13616,
29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not
exceed 3.542 cfs.

PRIORITY DATE: 05/01/1903

SCANNED

SEP 06 2005

PROFILED

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.015 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22	NENE	3.2	T09S R37E S22	NWNE	3.0
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6.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13543.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

SCANNED

SEP 06 2005

PROFILED

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13609

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.014 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

The combined diversion rate of water right nos. 29-214B, 29-13513,
29-13547, 29-13548, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609, 29-13610 each sharing priority date 7/1/1902, cannot exceed
0.60 cfs.

The combined diversion rate of water right nos. 29-215B, 29-13515,
29-13544, 29-13545, 29-13599, 29-13600, 29-13601, 29-13602,
29-13603, 29-13604 each sharing priority date 5/1/1903, cannot exceed
0.68 cfs.

The combined diversion rate of water right nos. 29-10774B, 29-13517,
29-13541, 29-13542, 29-13593, 29-13594, 29-13595, 29-13596,
29-13597, and 29-13598 each sharing priority date 7/1/1909, cannot
exceed 0.942 cfs.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B,
29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515, 29-13517,
29-13519,
29-13538, 29-13539, 29-13541, 29-13542, 29-13544, 29-13545,
29-13547,
29-13548, 29-13550, 29-13551, 29-13553, 29-13554, 29-13587,
29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595,
29-13596, 29-13597, 29-13598, 29-13599, 29-13600, 29-13601,
29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609,
29-13610, 29-13611, 29-13612, 29-13613, 29-13614, 29-13615,
29-13616,
29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not

SCANNED

SEP 06 2005

PROFILE

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not
exceed 3.542 cfs.

PRIORITY DATE: 07/01/1902

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.014 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22	NENE	3.2	T09S R37E S22	NWNE	3.0
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6.2 ACRES TOTAL

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13546.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13615

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.013 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

The combined diversion rate of water right nos. 29-207B, 29-13511,
29-13550, 29-13551, 29-13611, 29-13612, 29-13613, 29-13614,
29-13615 and 29-13616, each sharing priority date 6/20/1902, cannot
exceed 0.56 cfs.

The combined diversion rate of water right nos. 29-214B, 29-13519,
29-13547, 29-13548, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609, 29-13610 each sharing priority date 7/1/1902, cannot exceed
0.60 cfs.

The combined diversion rate of water right nos. 29-215B, 29-13515,
29-13544, 29-13545, 29-13599, 29-13600, 29-13601, 29-13602,
29-13603, 29-13604 each sharing priority date 5/1/1903, cannot exceed
0.68 cfs.

The combined diversion rate of water right nos. 29-10774B, 29-13517,
29-13541, 29-13542, 29-13593, 29-13594, 29-13595, 29-13596,
29-13597, and 29-13598 each sharing priority date 7/1/1909, cannot
exceed 0.942 cfs.

The combined diversion rate of water right nos. 29-10776B, 29-13519,
29-13538, 29-13539, 29-13587, 29-13588, 29-13589, 29-13590,
29-13591, 29-13592 each sharing priority date 7/1/1917, cannot exceed
0.76 cfs.

The combined diversion rate of water right nos. 29-207B, 29-214B,
29-215B,
29-10774B, 29-10776B, 29-13511, 29-13513, 29-13515, 29-13517,
29-13519,
29-13538, 29-13539, 29-13541, 29-13542, 29-13544, 29-13545,
29-13547,
29-13548, 29-13550, 29-13551, 29-13553, 29-13554, 29-13587,
29-13588,
29-13589, 29-13590, 29-13591, 29-13592, 29-13593, 29-13594,
29-13595,
29-13596, 29-13597, 29-13598, 29-13599, 29-13600, 29-13601,
29-13602,

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

29-13602,
29-13603, 29-13604, 29-13605, 29-13606, 29-13607, 29-13608,
29-13609,
29-13610, 29-13611, 29-13612, 29-13613, 29-13614, 29-13615,
29-13616,
29-13617, 29-13618, 29-13619, 29-13620, 29-13621, 29-13622 shall not
exceed 3.542 cfs.

PRIORITY DATE: 06/20/1902

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 09/15	0.013 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE
USE OF WATER BEFORE APRIL 15 AND AFTER SEPTEMBER 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY
DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR
THIS RIGHT.

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22	NENE	3.2	T09S R37E S22	NWNE	3.0
---------------	------	-----	---------------	------	-----

6.2 ACRES TOTAL

PROFILE

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13549.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13621

NAME AND ADDRESS: MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.039 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

PRIORITY DATE: 07/15/1976

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF

DIVERSION:

T09S R37E S15 SENENW Within BANNOCK County

T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/31

QUANTITY

0.039 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R37E S22

NENE

3.2

T09S R37E S22

NWNE

3.0

6.2 ACRES TOTAL

PROFILED

SCANNED
SEP 06 2005

08/04/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 29-13603, 29-13609 AND 29-13615 PURSUANT TO SECTION 42-1426, IDAHO CODE.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 2.0 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13552.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROFILED

SCANNED
SEP 06 2005

E-Vault

*OK
AC
6/17/05*

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>29-13584</u>			<u>29-13615</u>	
	<u>29-13591</u>			<u>29-13621</u>	
	<u>29-13597</u>				
	<u>29-13603</u>				
	<u>29-13609</u>				

2. The following **REQUIRED** information must be submitted with this form: *②*

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Larry Naef

4. New Owner/Claimant(s)

Mark J. Madsen

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

5812 E. Old Oregon Trail Rd.

City, State and ZIP Code

Lava Hot Springs, Id. 83246

New Telephone Number

208 776-5189

5. Date you acquired the property

April 21, 2005

PROFILED

SCANNED

JUN 21 2005

RECEIVED

JUN 16 2005

Department of Water Resources
Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Mark J. Maden
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

PROFILED

SCANNED
JUN 21 2005



A Pioneer Company

PIONEER TITLE COMPANY

OF BANNOCK COUNTY

135 N. Arthur / Pocatello, Idaho 83201 / (208) 233-9595

Order No. 20050429 SW MH

WARRANTY DEED

For Value Received

Larry Naef and Lana Naef, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto
Mark J. Madsen, an unmarried person

hereinafter referred to as Grantee, whose current address is 5812 E Old Oregon Trail Rd., Lava Hot Springs, ID
83246 the following described premises, to-wit:

fn
fn
mm

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Together with all water rights appurtenant to the subject property, including but not limited to Idaho Department of Water Resources Water Right No.'s 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 20, 2005

Larry Naef

Larry Naef

Lana Naef

Lana Naef

STATE OF IDAHO

COUNTY OF BANNOCK

On this 21 day of April, in the year of 2005, before me Stephanie Wright, notary public personally appeared Larry Naef and Lana Naef, known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Stephanie Wright

Stephanie Wright
Notary Public of Idaho
Residing at McCammon ID
Commission expires: April 25, 2006

SCANNED

JUN 21 2005

PROFILED

IPM101 | PARCEL MASTER INQUIRY | [2005] | [INQUIRY] | [06/10/05]

Parcel No	[R4225009802]	Status []	Legal Description	
Owner Name	[MADSEN, MARK J	]	[S22-T9S-R37E	]
Address 1	[5812 E OLD OREGON TRAIL RD	]	[TR NW4NE4 TAX 26 2.72 AC	]
Address 2	[	]	[TR NE4NE4 TAX 29 2.28 AC	]
Address 3	[	]	[	]
Address 4	[	]	[	]
City	[LAVA HOT SPRINGS	] St [ID]	[	]
	Zip [832461502]		Comment	
Property House	Dr	Street	[STMT OF INTENT	]
Address [005812]	[E]	[OLD OREGON TRAIL]	[	]
Property Type	[RR]	Deed Number	[20507471	]
Code Area	[006000]	Old Deed No	[20310803	]
Bank Code	[]	Previous No	[R4225009800]	
LL [00]	SM [00]	Next Parcel	[	]
		Last Signed	[NAEF, LARRY - 1998	]
CB Code	[]		Hardship Flag	[]
CB Amount	[	.00]	Hardship Pct	[.00]
--- Urban Renewal	-----			
Code []	Base []		Appr 06 Coml	Geo []

SCANNED

JUN 21 2005

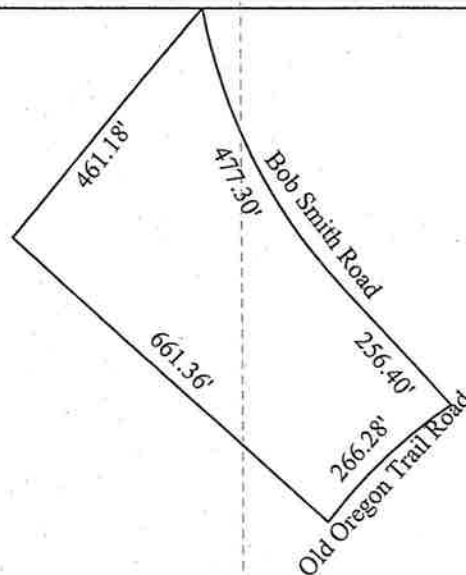
PROFILE

PROTIP

JUN 21 2005

SCANNED

N1/2, NE1/4, Section 22, Township 9 South, Range 37 E.B.M.



Title:

Date: 04-18-2005

Scale: 1 inch = 300 feet

File: nne-22937.des



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 29-13584, 29-13591,
29-13597, 29-13603, 29-13609, 29-
13615, 29-13621

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion

☐ place of use

☐ period of use

☐ nature of use

☐ split of water right

☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 17, 2005

Ernest Carlson
Signature of IDWR Representative

SCANNED

JUN 21 2005

CERTIFICATE OF MAILING

I certify that on JUNE 17, 2005, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
LARRY NAEF
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS, ID 83246

4. One copy to:

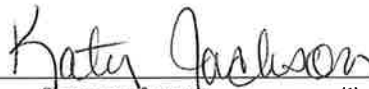
Each party in the subcase, or attorney of record
RANDY BUDGE
RACINE OLSEN NYE BUDGE & BAILEY
PO BOX 1391
POCATELLO, ID 83204

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

PROFILED

SCANNED

JUN 21 2005

06/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13584

NAME AND ADDRESS: LANA NAEF
5812 E OLD OREGON TL ROAD
LAVA HOT SPRINGS ID 83246

MARK J MADSEN
5812 E OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

SOURCE: WEST BOB SMITH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.075 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.079 CFS. COMBINED RIGHT NOS.:
29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615,
29-13621.

PRIORITY DATE: 08/07/1932

POINT OF
DIVERSION: T09S R37E S15 SENENW Within BANNOCK County
T09S R37E S15 SESENW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.075 CFS
STOCKWATER	01/01 12/31	0.040 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R37E S22 NENE 3.2 T09S R37E S22 NWNE 3.0

STOCKWATER same as IRRIGATION

6.2 ACRES TOTAL

SCANED

JUN 21 2005

PROFILED

06/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 6.2 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

THIS RIGHT IS A SPLIT FROM ORIGINAL RIGHT 29-13534.

THIS WATER RIGHT IS AN EXTENDED SEASON OF USE RIGHT PURSUANT TO 29-13300 AS SPLIT.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

PROFILED

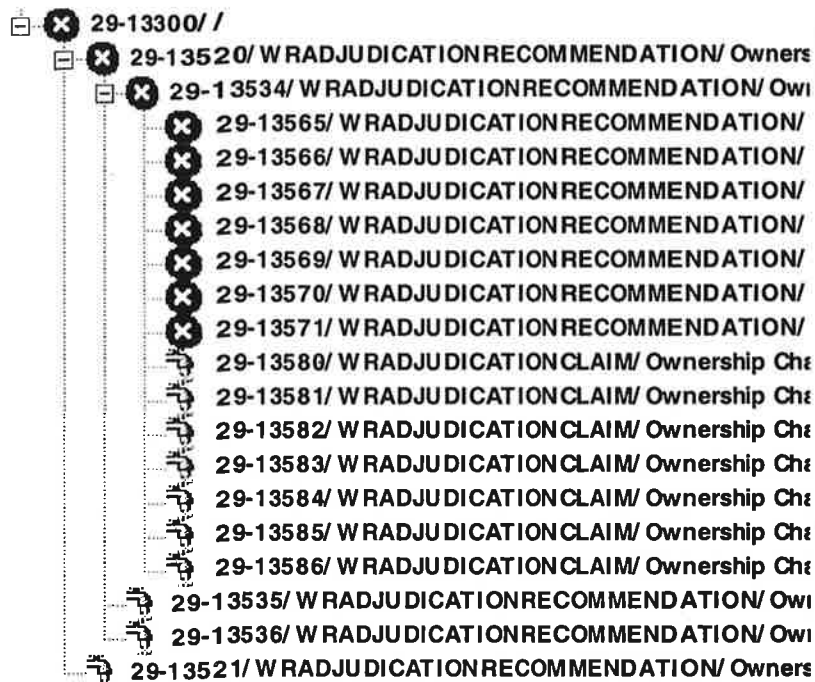
SCANNED
JUN 21 2005

Enter Water Right

Basin # Sequence # Split Suffix
29 13580

Find Pedigree

View Help Text



Add/Edit Pedigree

Parent Water Right

Basin # Sequence # Split Suffix

Change Status to Parent

Child Water Right

Basin # Sequence # Split Suffix

Parent Table

Add
NodeEdit
Node

Pedigree Type

Save

Origin: Ext. 5011 claim - BU

MAX (HALL)
~~29-13565~~ 13580

222⁴ AC @ 2.672 cfs

OTE:
X'd' OUT NUMBERS
ARE NOT USED. THEY
ARE REPLACED DUE
TO SOME DATA BASE
ERROR. DELETED
FROM DATA BASE
NOT TO BE USED.

JEFF HARRIS
~~29-13566~~ 13581 PARCEL A
8.63 AC @ 0.104 cfs

JEFF HARRIS
~~29-13567~~ 13582 PARCEL B
8.65 AC @ 0.104 cfs

MAX HALL
29-13534

3.16 cfs

PERMISSIBLE POU
WITH THE FOLLOWING
RIGHTS:

JEFF HARRIS
~~29-13568~~ 13583 PARCEL C
8.75 AC @ 0.105 cfs

29-13534
29-13537
29-13540
29-13543
29-13546
29-13549
29-13552

LARRY NAEF
~~29-13569~~ 13584
6.27 AC @ 0.075 cfs

TOTAL 263² AC.
PRIORITY DATE:
AUG. 7 1932

ROLAND HULL
~~29-13570~~ 13585 - DISALLOWED IN MAX HALL'S NAME.

RECOMMENDED AS AND INCLUDING
THE NUMBER BELOW FOR MR. HULL.

29-13534 IS
AN EXTENDED
SEASON OF USE
CLAIM. THIS CLAIM
ORIGINATED AS
29-13300

ROBEN HULL
~~29-13571~~ 13586
8.30 AC @ 0.0997 ⇒ 0.100 cfs

yes, it's fixed.

Split History of Max Hall's water rights off West Bob Smith Creek 3/21/03

29-00207	29-00207A	29- <u>13510</u> (0.530 cfs/ 279.2ac) M. Hall	29-13549 M. Hall
		(.545 cfs/ 287 ac)	29-13550 J. Hall
	29-00207B	29- <u>13511</u> (0.015 cfs/ 7.8 ac) E. Rush	R. GUNTER 29-13551
29-00214	29-00214A	29- <u>13512</u> (0.568 cfs/ 279.2 ac) M. Hall	29-13546 M. Hall
		(0.584 cfs/ 287 ac)	29-13547 J. Hall
	29-00214B	29- <u>13513</u> (0.016 cfs/ 7.8 ac) E. Rush	R. GUNTER 29-13548
29-00215	29-00215A	29- <u>13514</u> (0.642 cfs/ 279.2 ac) M. Hall	29-13543 M. Hall
		(0.660 cfs/ 287 ac)	29-13544 J. Hall
	29-00215B	29- <u>13515</u> (0.017 cfs/ 7.8 ac) E. Rush	R. GUNTER 29-13545
29-10774 (P15)	29-10774A	29- <u>13516</u> (0.893 cfs/ 279.2 ac) M. Hall	29-13540 M. Hall
		(0.917 cfs/ 287 ac)	29-13541 J. Hall
	29-10774B	29- <u>13517</u> (0.024 cfs/ 7.8 ac) E. Rush	R. GUNTER 29-13542
29-10776 (P15)	29-10776A	29- <u>13518</u> (0.720 cfs/ 279.2 ac) M. Hall	29-13537 M. Hall
		(0.740 cfs/ 287 ac)	29-13538 J. Hall
	29-10776B	29- <u>13519</u> (0.198 cfs/ 7.8 ac) E. Rush	R. GUNTER 29-13539
29-13300	29- <u>13520</u> ³⁵ (3.44 cfs/ 279.2 ac) M. Hall	$\Sigma = 3.35 \checkmark$	29-13534 M. Hall
		(3.54 cfs/ 287 ac) EXT SOL	29-13535 J. Hall
	29- <u>13521</u>	(0.096 cfs/ 7.8 ac) E. Rush $\Sigma = 0.267 \checkmark$	R. GUNTER 29-13536
29-13309 (1.84 cfs/ 116.0 ac w/i 287 ac) reduced to 279.2 ac. - enlargement claim [Rush did not get any portion of the enlarged acres.]			
29-13552 M. Hall			
29-13553 J. Hall			
29-13554 R. Gunter			

Note: All Stewart split portions were split off circa March 2002.

263²⁵ - Max Hall retains remainder of all Parent Rts @ 263²⁵ ac
 50 - Jason Hall gets 4.95 ac as irrig. w/ appropriate Q, includes enlargement
 114 - D... Gunter gets 11.70 ac as irrig. " " " " "

March 04, 2005

LANA NAEF
LARRY NAEF
5812 OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

RE: Notice of Change of Water Right Ownership (NCO) for 29-13584, 29-13591, 29-13597, 29-13603, 29-13609, 29-13615, 29-13621 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On June 17, 2005, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Katy Jackson
Office Specialist 1

Enclosure

cc: Vera Thomas

PROFILE

SCANNED
SEP 06 2005

March 04, 2005

MARK J MADSEN
5812 OLD OREGON TRAIL RD
LAVA HOT SPRINGS ID 83246

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Respectfully,

Katy Jackson
Office Specialist 1

Enclosure

cc: Vera Thomas

PROFILED **SCANNED**
SEP 06 2005

T9S, R37E

NWSE

HULL
8.30 ac

HARRIS
8.63 ac

A

HARRIS
8.65 ac

SWSE B

HARRIS
8.75 ac

C

NAEF
6.27 ac

NWNE

NENE

15 14
22 23

Old Oregon Tr

Road